

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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BRIAN LOCKE,

Plaintiff,

v.

MATTHEW FRANK and  
GREGORY GRAMS,

Defendants.

ORDER  
07-C-480-S

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Plaintiff was allowed to proceed on his First Amendment claims that defendants denied him access to the court and retaliated against him. Plaintiff filed a motion for a preliminary injunction to allow him four hours each week in the law library, adequate legal materials, return of lost legal materials and more access to legal cases. This motion has been fully briefed and is ready for decision.

To prevail on a motion for a preliminary injunction plaintiff must establish: 1) that he has no adequate remedy at law; 2) that he will suffer irreparable harm if a preliminary injunction is not issued; 3) that the harm he will suffer if the order is not granted would be greater than the harm defendants will suffer if the order is granted; 4) that he has a reasonable likelihood of success on the merits; and 5) that the injunction will not harm the public interest. Brunswick Corp. v. Jones, 784 F. 2d 271, 273-64 (7th Cir. 1986).

The first question is whether plaintiff has a reasonable likelihood of success on the merits of his claim. This is difficult to determine at the present time. However, he has an adequate remedy at law. Plaintiff has not shown that he will suffer irreparable harm . Accordingly, plaintiff's motion for a preliminary injunction will be denied.

ORDER

IT IS ORDERED that plaintiff's motion for a preliminary injunction is DENIED.

Entered this 6<sup>th</sup> day of November, 2007.

BY THE COURT:

/s/

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JOHN C. SHABAZ  
District Judge